

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

Cardional Anna Vines Carter,	:	
	:	
Plaintiff,	:	
	:	
v.	:	Case No. 2:12-cv-914
	:	
	:	JUDGE ALGENON L. MARBLEY
Riverside Methodist Hospital,	:	Magistrate Judge Kemp
et al.,	:	
	:	
Defendants.	:	

ORDER

In an order filed on November 29, 2012, the Court granted plaintiff's motion for leave to proceed *in forma pauperis* but noted that the complaint did not set forth enough facts to state a plausible claim for relief and that it also did not allege facts, such as the citizenship of the parties or the amount in controversy, from which the Court's jurisdiction could be determined. The order gave her 21 days to amend her complaint to allege the citizenship of the defendants, or to argue to the Court why the complaint either states a federal claim or a state law claim within the Court's diversity jurisdiction. That order also warned her that if she did not do so, the case would be dismissed.

Ms. Carter has not filed an amended complaint. Rather, she has made a filing described as a "memo" on the Court's docket which reads, in its entirety, as follows:

4731.92
Misrepresentation as to qualifications of health - Repealed
186H222 EF 5.15.86
1978 H 1092 S 347 1976 H 155 H 832

Jurisdiction - Ghal (Franklin 1992)
83 Ohio App3rd - 460 overlured

615 NE 2nd 268 66 Ohio St.3rd 1420
607 N.E.
Health 223(1)

Hospitals - Agreements Between 140.02 et seq.
treatment by physicians 4731.227

Funds - Public - Contd
Trauma And emergency Medical Servicers Fund sent
Fines Credited to 4513.263

She also has filed a two-page document captioned as a “claim on relief” which reiterates the above information, indicates that 28 U.S.C. §1332(a) is applicable here, suggests that the defendants are citizens of Ohio, and states that her medical bills “are about 2000 million Dollars altogther.” This information does not demonstrate that she and all of the defendants are citizens of different states as required for diversity jurisdiction under 28 U.S.C. §1332(a). It also does not demonstrate that she has asserted any claim arising under the Constitution or laws of the United States. As a result, the problems which the November 29, 2012 order pointed out still exist. In the absence of jurisdiction, the Court cannot proceed with the case, and there are simply no plausible factual allegations here from which jurisdiction could be inferred.

For these reasons, this case is **DISMISSED WITHOUT PREJUDICE** for lack of jurisdiction. The Clerk is directed to mail a copy of the complaint and this order to the plaintiff and to all named defendants to the extent that the pleadings permit the Clerk to determine their addresses.

IT IS SO ORDERED.

s/Algenon L. Marbley
ALGENON L. MARBLEY
UNITED STATES DISTRICT COURT